

Docket No.

P07 42146

Declaration For Patent Application**English Language Declaration**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

**METHODS OF DIAGNOSING OR TREATING IRRITABLE BOWEL SYNDROME AND OTHER
DISORDERS CAUSED BY SMALL INTESTINAL BACTERIAL OVERGROWTH**

the specification of which

(check one)

☒ is attached hereto.

☐ was filed on _____ as United States Application No. or PCT International

Application Number _____

and was amended on _____

(if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d) or Section 365(b) of any foreign application(s) for patent or inventor's certificate, or Section 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate or PCT International application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

Priority Not Claimed

(Number)

(Country)

(Day/Month/Year Filed)

☐

(Number)

(Country)

(Day/Month/Year Filed)

☐

(Number)

(Country)

(Day/Month/Year Filed)

☐

I hereby claim the benefit under 35 U.S.C. Section 119(e) of any United States provisional application(s) listed below:

(Application Serial No.)

(Filing Date)

(Application Serial No.)

(Filing Date)

(Application Serial No.)

(Filing Date)

I hereby claim the benefit under 35 U. S. C. Section 120 of any United States application(s), or Section 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. Section 112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, CFR Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

(Application Serial No.)

(Filing Date)

(Status)
(patented, pending, abandoned)

(Application Serial No.)

(Filing Date)

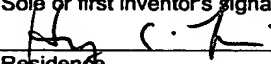
(Status)
(patented, pending, abandoned)

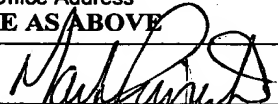
(Application Serial No.)

(Filing Date)

(Status)
(patented, pending, abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor HENRY C. LIN	
Sole or first inventor's signature 	Date 8-10-99
Residence 868 Third Street, Manhattan Beach, CA 90266	
Citizenship U.S.A.	
Post Office Address SAME AS ABOVE	

Full name of second inventor, if any MARK PIMENTEL	
Second inventor's signature 	Date 8-9-99
Residence 467 South Arnaz Drive, Apt. 401, Los Angeles, CA 90048	
Citizenship CANADA	
Post Office Address SAME AS ABOVE	

Full name of third inventor, if any	
Third inventor's signature	Date
Residence	
Citizenship	
Post Office Address	

Full name of fourth inventor, if any	
Fourth inventor's signature	Date
Residence	
Citizenship	
Post Office Address	

CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)Applicant(s): **HENRY C. LIN and MARK PIMENTEL**

Docket No.

P07 42146

Serial No.

NOT ASSIGNED

Filing Date

HEREWITH

Examiner

NOT ASSIGNED

Group Art Unit

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Invention: **METHODS OF DIAGNOSING OR TREATING IRRITABLE BOWEL SYNDROME AND OTHER DISORDERS CAUSED BY SMALL INTESTINAL BACTERIAL OVERGROWTH**

I hereby certify that this **Power of Attorney***(Identify type of correspondence)*

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: The Assistant Commissioner for Patents, Washington, D.C. 20231 on

8/11/99*(Date)*Ann Weiss*(Typed or Printed Name of Person Mailing Correspondence)*
*(Signature of Person Mailing Correspondence)***EL 349 964 887 US***("Express Mail" Mailing Label Number)***Note: Each paper must have its own certificate of mailing.**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Henry C. Lin and Mark Pimentel
Serial No.: Unassigned
Filed on: Herewith
Title: METHODS OF DIAGNOSING OR TREATING IRRITABLE BOWEL
SYNDROME AND OTHER DISORDERS CAUSED BY SMALL
INTESTINAL BACTERIAL OVERGROWTH

POWER OF ATTORNEY

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

The undersigned assignee of the entire interest in the above-identified patent application hereby appoints the following attorneys and/or agents, Laurence H. Pretty, Esq., 25,312; Robert A. Schroeder, Esq., 25,373; Edward G. Poplawski, Esq., Reg. No. 33,439; Jeffrey F. Craft, Esq., Reg. No. 30,044; Richard A. Wallen, Esq., Reg. No. 22,671; Michael J. MacDermott, Esq., Reg. No. 29,946; Anne Wang, Esq., Reg. No. 36,045; Paul D. Tripodi, Esq., Reg. No. 40,847; Marc E. Hankin, Esq., Reg. No. 38,908; Donald C. Kordich, Esq. Reg. No. 38,213; J. Christopher James, Esq., Reg. No. 40,660; Gregory S. Cordrey, Reg. No. 44,089; Matthew C. Lapple, Reg. No. 44,203; Daniel C. Mallery, Reg. No. 33,532; Michael L. Crapenhof, Reg. No. 37,115; and Nisan A. Steinberg, Esq., Reg. No. 40,345, to prosecute and transact all business in the US Patent and Trademark Office relating to this application, this appointment to be to the exclusion of the inventors and their attorney(s) in accordance with the provisions of Rule 32 of the Patent Office Rules of Practice.

Please send all future correspondence to:

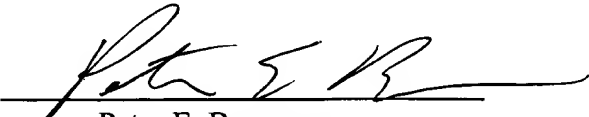
Edward G. Poplawski, Esq.
PRETTY, SCHROEDER & POPLAWSKI
444 South Flower Street- 19th Floor
Los Angeles, CA 90071

and direct all telephone calls to: Nisan A. Steinberg, Ph.D. at 213/622-7700 Fax (213) 489-4210.

Respectfully submitted,

CEDARS-SINAI MEDICAL CENTER

Dated: 8/9/99


Peter E. Braveman
Senior Vice-President for
Legal Affairs and General Counsel

CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)Applicant(s): **HENRY C. LIN and MARK PIMENTEL**

Docket No.

P07 42146Serial No.
NOT ASSIGNEDFiling Date
HEREWITHExaminer
NOT ASSIGNEDGroup Art Unit
-Invention: **METHODS OF DIAGNOSING OR TREATING IRRITABLE BOWEL SYNDROME AND OTHER
DISORDERS CAUSED BY SMALL INTESTINAL BACTERIAL OVERGROWTH**I hereby certify that this **Verified Statement (Declaration) Claiming Small Entity Status**
(Identify type of correspondence)is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under
37 CFR 1.10 in an envelope addressed to: The Assistant Commissioner for Patents, Washington, D.C. 20231 on**8/11/99**
(Date)**Ann Weiss**
(Typed or Printed Name of Person Mailing Correspondence)
(Signature of Person Mailing Correspondence)**EL 349 964 887 US**

("Express Mail" Mailing Label Number)

Note: Each paper must have its own certificate of mailing.

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY
STATUS (37 CFR 1.9(f) AND 1.27 (d)) - NONPROFIT ORGANIZATION**

Docket No.
P07 42146

Serial No.
UNASSIGNED

Filing Date
HEREWITH

Patent No.
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Issue Date
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Applicant/ **HENRY C. LIN AND MARK PIMENTEL**
Patentee:

Invention:

**METHODS OF DIAGNOSING OR TREATING IRRITABLE BOWEL SYNDROME AND OTHER DISORDERS
CAUSED BY SMALL INTESTINAL BACTERIAL OVERGROWTH**

I hereby declare that I am an official empowered to act on behalf of the nonprofit organization identified below:

NAME OF ORGANIZATION: CEDARS-SINAI MEDICAL CENTER

ADDRESS OF ORGANIZATION: 8700 Beverly Boulevard
Los Angeles, CA 90048-1869

COPYRIGHT © 1994 LEGALSOFT

TYPE OF NONPROFIT ORGANIZATION:

- ☐ University or other Institute of Higher Education
- ☒ Tax Exempt under Internal Revenue Service Code (26 U.S.C. 501(a) and 501(c)(3))
- ☐ Nonprofit Scientific or Educational under Statute of State of The United States of America
Name of State: _____ Citation of Statute: _____
- ☐ Would Qualify as Tax Exempt under Internal Revenue Service Code (26 U.S.C. 501(a) and 501(c)(3)) if Located in The United States of America
- ☐ Would Qualify as Nonprofit Scientific or Educational under Statute of State of The United States of America if Located in The United States of America
Name of State: _____ Citation of Statute: _____

I hereby declare that the above-identified nonprofit organization qualifies as a nonprofit organization as defined in 37 C.F.R. 1.9(e) for purposes of paying reduced fees to the United States Patent and Trademark Office regarding the invention described in:

- ☒ the specification to be filed herewith.
- ☐ the application identified above.
- ☐ the patent identified above.

I hereby declare that rights under contract or law have been conveyed to and remain with the nonprofit organization with regard to the above identified invention.

If the rights held by the above-identified nonprofit organization are not exclusive, each individual, concern or organization having rights to the invention is listed on the next page and no rights to the invention are held by any person, other than the inventor, who could not qualify as an independent inventor under 37 CFR 1.9(c) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

- ☒ no such person, concern or organization exists.
☐ each such person, concern or organization is listed below.

FULL NAME _____
 ADDRESS _____

☐ Individual ☐ Small Business Concern ☐ Nonprofit Organization

FULL NAME _____
 ADDRESS _____

☐ Individual ☐ Small Business Concern ☐ Nonprofit Organization

FULL NAME _____
 ADDRESS _____

☐ Individual ☐ Small Business Concern ☐ Nonprofit Organization

FULL NAME _____
 ADDRESS _____

☐ Individual ☐ Small Business Concern ☐ Nonprofit Organization

Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING: Peter E. Braveman, Esq.

TITLE IN ORGANIZATION: Senior Vice President for Legal Affairs and General Counsel

ADDRESS OF PERSON SIGNING: Cedars-Sinai Medical Center
8700 Beverly Boulevard
Los Angeles, CA 90048-1869

SIGNATURE: _____

DATE: _____